

OCT 27 1916
**Public Utilities Commission
of the State of Colorado**

ADMINISTRATIVE RULING NO. 1

In re Free Transportation for Policemen and
Firemen in Uniform on Street Railways

Effective October 15, 1914



ISSUED BY
ORDER OF THE COMMISSION
DENVER, COLORADO

The Public Utilities Commission of the State of Colorado

In Re Free Transportation for Police- men and Firemen in Uniform on Street Railways.
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ADMINISTRATIVE RULING No. 1.

By the Commission.

Decided October 15, 1914.

The Commission has been requested by Messrs. Devine and Preston, attorneys for The Arkansas Valley Railway, Light and Power Company, operating a street railway in the city of Pueblo, Colorado, for its opinion as to whether it is permitted, under the Public Utilities Act, to allow "policemen and firemen in uniform" to ride free on its cars.

The question presented is a peculiar one, as it seems to the Commission there is far more reason why firemen and policemen when on duty should ride free than many other classes of persons which are specifically mentioned in the law.

The law reads:

"No public utility subject to the provisions of this act shall, directly or indirectly, issue, give or tender any free service, ticket, frank, free pass, or other gratuity, or free or reduced rate transportation for *passengers*, between points within this State, etc."



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Then follows the list of exceptions to this rule. The law also provides, at the latter end of paragraph (a), section 17:

“Provided, the granting or issuing of any free service, ticket, frank, free pass, or other gratuity, or free or reduced rate transportation shall be subject to such reasonable restrictions as the Commission may impose.”

While policemen and firemen while on duty are not mentioned directly in the exceptions, the restriction against free transportation is confined to “passengers.”

On investigation, we have ascertained that, in nearly all of the important cities of this country, “policemen and firemen in uniform” are allowed to ride free on street-car lines. Whether, while on duty and in uniform, they are to be considered as ordinary passengers is a grave question. While on duty, they are the guardians, not only of the peace and safety of persons, but of the property of citizens, including the property of the common carriers in the locality where they are employed. They are peace officers, having the right to enter upon the property of common carriers as well as upon the property of others. In the event of disturbance, riot, or disorder occurring on any of the cars of the common carriers, or in case of fire, they would certainly have the right to enter and pass freely upon the same, and, under their authority, would possibly have the right to enter upon all cars of the company in their inspection or in search of persons violating the law. While on duty, it is their business to be attending to the affairs of the community, and they might be compelled to travel from one part of the city to another in the line of their duty, not traveling either for pleasure or on business. In these instances they could not be considered in the light of ordinary passengers.

The Commission has given this subject careful consideration and, as a result thereof, has concluded not to construe the law as preventing street-car companies within the state from according free transportation to “policemen and firemen when in uniform,” believing it to be to the best interests of the state at large, as well as to the carriers themselves, that they be accorded free transportation.

The Public Utilities Commission of the State of Colorado:

(SEAL)

AARON P. ANDERSON,
S. S. KENDALL,
GEO. T. BRADLEY,

Commissioners.

Dated October 15, 1914.